

Please replace the paragraph starting at line 38 on page 3 with the following paragraph.

B²
--Relative to the 5'-end of the linearized DNA, which results from cleaving the circular CFDV DNA with the restriction endonuclease *Xho*I, as position 1, the stem-loop structure encompasses the nucleotides 941 to 971 of SEQ ID NO:1; the open CFDV reading frames ORF1 and ORF2 encompass the nucleotides 1004 to 583 of SEQ ID NO:1, and 1215 to 383 of SEQ ID NO:1, respectively.--

Please replace the paragraph starting at line 20 on page 4 with the following paragraph.

B³
--Particularly preferred CFDV DNA fragments according to the invention are the DNA fragments with the nucleotides 211 to 991 of SEQ ID NO:1, 409 to 991 of SEQ ID NO:1, 611 to 991 of SEQ ID NO:1 or of 711 to 991 of SEQ ID NO:1.--

Please replace the paragraph starting at line 34 on page 5 with the following paragraph.

B⁴
--Fig. 2: the so-called stem-loop structure (SEQ ID NO:2); it shows homology to a similar structure in the genome of geminiviruses and is probably responsible for the replication of the virus (SEQ ID Nos: 3, 4, and 5).--

Please replace the paragraph starting at line 12 on page 6 with the following paragraph.

B⁵
--Fig. 4: the sequence of the two repeated sequences (RPT) (SEQ ID NO:6) and their arrangement as stable stem-loop structures with the customary CGAAG-loop sequence.--

Please replace the paragraph starting at line 9 on page 9 with the following paragraph.

B⁶ --The CFDV fragments contained in Table 1 and shown schematically in Figure 4, which are marked "pRT CF2 - 5", are CFDV fragments according to the invention. The CFDV fragments marked "pRT CF7-10" are CFDV fragments which are not according to the invention; while they still retain the TATAA box, their CFDV sequence is deleted at the 3'-end in such a way that the stem-loop structure can no longer be formed. All nucleotide positions referred to in the table are in reference to SEQ ID NO:1.--

Please replace the paragraph starting at line 14 on page 13 with the following paragraph.

B⁷ --The constructs pRT CF 7 - 10, which are not according to the invention, show no activity whatsoever in tobacco protoplasts, which demonstrates that the facility of forming the stem-loop structure in the region of the nucleotides 941 to 971 of SEQ ID NO:1 in the CFDV fragment promoter is essential for the promoter activity.--

Please replace the paragraph starting at line 7 on page 15 with the following paragraph.

B⁸ --The results shown in Table 3A demonstrate that all CFDV DNA fragments according to the invention are also active as promoters in bacteria and show a higher activity than the CaMV 35S promoter (cf. construct pRT 35S). Compared with the construct pRT CF4, which contains, as promoter, a CFDV DNA fragment which comprises the repeated structures (RPT), the 52-bp-sequence, the TATAA sequence and the stem-loop structure in the region of the nucleotides 941 to 974 (SEQ ID NO:1), but no DNA sections whatsoever of the open reading frames ORF1, ORF2 and also ORF3, the construct pRT 35S with the CaMV 35S promoter only shows less than 10% of the activity of the former.--

In the claims, please rewrite claim 3 as follows.

B-1
--3. CFDV virus DNA fragment according to Claim 1, characterized in that it encompasses the nucleotides 211 to 991 of SEQ ID NO:1, 409 to 991 of SEQ ID NO:1, 611 to 991 of SEQ ID NO:1 or 711 to 991 of SEQ ID NO:1, where, for the purpose of numbering the nucleotides, the 5'-end of the linearized DNA resulting from cleaving the circular CFDV DNA with the restriction endonuclease *Xho*I, has been assigned the position 1.--

REMARKS

Claims 1-11 are pending. Applicants have amended the specification and claim 3 to comply with the requirements under 37 C.F.R. § 1.821-5. In addition, Applicants have supplied a paper and electronic copy of a Sequence listing under 37 C.F.R. § 1.821-5.

Support for these amendments can be found through out the specification. In addition, support for the 1291 base sequence of the CFDV DNA (SEQ ID NO:1) can be found on page 2, lines 34-37 where the specification points to the sequence of CFDV DNA that is disclosed and described by Rhode et al., Virology, 176:648-651 (1990).